

ANC 5A**ADVISORY NEIGHBORHOOD COMMISSION 5A**

SLOWE SCHOOL DEMOUNTABLE

14TH & IRVING STREETS, N.E. • WASHINGTON, D.C. 20017

TELEPHONE (202) 635-6563 • FAX (202) 635-6565

MAR - 8 REC'D

10229

AGREEMENT between Delta Elite Inc. and ANC 5A**OFFICERS**JOSEPH L. BOWSER
ChairpersonROBERT (BOB) KING
Vice ChairpersonETTA M. MARSHALL
Corresponding SecretaryRAYMOND L. DICKEY, SR.
Recording SecretaryISAAC WILLIAMS, JR.
TreasurerNORMA M. BROADNAX
Parliamentarian**COMMISSIONERS**

- 5A01 Etta M. Marshall
- 5A02 Norma M. Broadnax
- 5A03 Joseph L. Bowser
- 5A04 Raymond L. Dickey, Sr.
- 5A05 Joyce C. Saucier
- 5A06 Mary Baird-Currie
- 5A07 Romaine B. Thomas
- 5A08 Robert I. Artisst
- 5A09 Isaac Williams, Jr.
- 5A10 James C. Grayton
- 5A11 Mozelle E. Watkins
- 5A12 Robert (Bob) King

Angela D. Ellis
Office Manager**RE: Reissuance Application No. 10229, Enrique Lyon
t/a Delta Elite Social Club, 3734 10th Street NE****January 27, 1995**

Seeking to renew a class CN liquor license for the Delta Elite Social Club (Club) located at 3734 10th Street NE, Washington, D.C., and having met with residents of single member district 5A06, Enrique Lyon, president and representative of the Applicant, Delta Elite Inc., agrees to the preamble and conditions set forth below:

PREAMBLE

The Applicant (Delta Elite Inc.), Protestants (residents of SMD 5A-06), and Advisory Neighborhood Commission 5A enter into this voluntary agreement. Through this agreement the parties aim to create an environment whereby the applicant may continue to operate as a viable business establishment while concurrently lessening the adverse effects of this business on the surrounding neighborhood. All parties believe the provisions contained in the conditions section below are reasonable and must become wholly integrated into the day-to-day operation the Club.

In addition, the Applicant agrees over the long-term to work with neighborhood residents to ensure that the Club operations do not adversely affect the surrounding neighborhood. Through working together, the Applicant, Protestants, and Advisory Neighborhood Commission 5A envision that the Club will operate in a lawful manner, generate tax revenues, provide gainful employment opportunities within the District of Columbia, and contribute to the neighborhood as a corporate citizen.

CONDITIONS

The conditions section is divided into five areas:
Noise, Illegal Activity, Trash, and Ongoing Monitoring

Parking

The Applicant agrees to guarantee availability of at least thirty (30) parking places in the shopping center area directly in front of the Club. In addition, the applicant will endeavor to identify and secure additional off-street parking from commercial sources located just south of the Club. For example, the Applicant shall contact such sources as D.C. Cablevision, WMATA (Metro), and other neighborhood businesses to determine whether their lots may be leased or used by Club patrons¹.

Noise

The Applicant agrees to ensure that sounds originating from within the Club are not heard by residents in the surrounding neighborhood. To accomplish this, the Applicant agrees to install three separate front doors between the inside and the outside of the Club, not to leave doors propped open during hours of Club operation, install added levels of sound proofing in the skylight, keep the sound system at reasonable levels of volume and bass, and reduce even further these levels when necessary.

Rowdiness/Loitering/Illegal Activity

1. The Applicant agrees to ensure that no patron brings alcohol into the Club from an outside source and at no time exits the Club with alcoholic beverages.
2. The Applicant agrees to take all necessary steps to control patron rowdiness, including alerting patrons to the quiet of the surrounding neighborhood and refusing entry to patrons who behave in an overly loud or rough manner. Any patron who leaves the Club after 4:00 a.m. will not be allowed readmission that day.
3. The Applicant agrees to make the following announcement prior to closing:

We ask you to be courteous when leaving tonight. Most nearby residents are asleep, so please remember not to cause disturbances in the neighborhood. Drive safely.
4. The Applicant agrees to provide signs in highly visible locations about the following:
 - a. Proper ID required (proof of age 21 minimum to be served alcoholic beverages and assurance that patrons will be carded on entry).
 - b. Prohibition against selling alcohol to minors and selling drugs.
 - c. Request to patrons to not loiter, litter, or make excessive noise in the neighborhood as they depart.

¹In this agreement, the word "patron" includes individuals inside the Club as well as individuals going to and from the Club.

- d. Directions to off-street, commercial parking places located south of the Club.
- e. Notice that persons exiting after 4:00 a.m. will not be readmitted to the Club.

Trash

1. The Applicant agrees to ensure that all litter within the immediate vicinity of the Club is picked up by the morning after operations.
2. The Applicant agrees to ensure that its trash is picked up on Mondays, or the first business day after any night of operation.

Ongoing Monitoring

1. Following the signing of the agreement among the Applicant, Protestants, and ANC 5A, the Applicant agrees to attend a meeting of ANC 5A on the date and time this agreement is distributed.
2. In the event the provisions of this agreement are violated or new problems develop, the Applicant agrees to meet with affected residents and pledges to work toward reasonable and effective solutions.
3. The Protest is withdrawn.

Enrique Lyon 2-7-95
 Enrique Lyon
 Delta Elite, Inc.
 E. LYON 3-15-95

Joseph L. Bowser
 Joseph L. Bowser
 Chairperson, ANC 5A

Mary Baird-Currie 3/22/95
 Mary Baird-Currie
 Commissioner, ANC 5A-06

Dino J. Drudi 3/22/95
 Dino J. Drudi, Resident 5A-06

Paul McAllister 3/22/95
 Paul McAllister, Resident 5A-06

Diane A. Pecor
 Diane A. Pecor, Resident 5A-06

Arthur J. Carter 3/22/95
 President of Brookland Civi
 Assoc Inc. / 5A-08 Commissioner

BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

In the Matter of:

Delta Elite, Inc.

t/a same

Application for a Retailer's

License Class "CN" - renewal

at premises

3734 10th Street, N.W.

Washington, D.C.

Case No. 10229-95002P

Dino Drudi, Diane A. Pecor, Paul J. McAllister, and Mary Baird-Currie,
Single Member District Commissioner, Advisory Neighborhood Commission
5A06, Protestants

Enrique Lyon, President, on behalf of Applicant

BEFORE: MARY EVA CANDON, ESQUIRE, Chairperson
DENNIS BASS, Member
JAMES C. JEFFERSON, Member
JAMES L. O'DEA, III, ESQUIRE, Member
BARBARA L. SMITH, ESQUIRE, Member

ORDER ON WITHDRAWN PROTEST

The application, having been protested, came before the Board for public hearing on June 1, 1994, in accordance with D.C. Code Section 25-115 (c)(5)(1993 Supp.), providing for remonstrants to be heard. Dino Drudi, Diane A. Pecor, Paul J. McAllister, Mary Baird-Currie, Single Member District Commissioner, Advisory Neighborhood Commission 5A06, filed timely protests by letters dated September 27, 1994, October 17, 1994, October 13, 1994 and October 14, 1994, respectively.

The official records of the Board reflect that the parties have now reached an Agreement which has been reduced to writing, and has been properly executed and filed with the Board.^{1/} Pursuant to the Agreement, the Protestants have agreed to withdraw their protests provided, however, that the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the Agreement.

^{1/} See Agreement dated January 27, 1995.

Delta Elite, Inc.
t/a same
Page two

Accordingly, it is this 26th day of April 1995,
ORDERED that:

1. The protests of Dino Drudi, Diane A. Pecor, Paul J. McAllister, and Mary Baird-Currie, Single Member District Commissioner, Advisory Neighborhood Commission 5A06, be, and the same hereby, are WITHDRAWN;

2. The above-referenced Agreement between the parties be, and the same hereby, is INCORPORATED as part of this Order;

3. The application of Delta Elite, Inc. t/a same for a retailer's license class CN - renewal at premises 3734 10th Street, N.W., be, and the same hereby, is GRANTED; and,

4. Copies of this Order shall be sent to the Protestants and the Applicant.

DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

Mary Eva Candon
Mary Eva Candon, Esquire
Chairman

Dennis Bass
Dennis Bass
Member

James C. Jefferson
James C. Jefferson,
Member

James V. O'Dea, III
James V. O'Dea, III, Esquire
Member

Barbara L. Smith
Barbara L. Smith, Esquire
Member

170317001
ANC 5A



ADVISORY NEIGHBORHOOD COMMISSION 5A

SLOWE SCHOOL DEMOUNTABLE

14TH & IRVING STREETS, N.E. • WASHINGTON, D.C. 20017

TELEPHONE (202) 635-6563 • FAX (202) 635-6565

10229

RECEIVED
ALCOHOLIC BEVERAGE
CONTROL DIVISION

MAR 14 12 40 PM '97

OFFICERS

Joseph L. Bowser
Chairperson

Etta M. Marshall
Vice Chairperson

Norma M. Broadnax
Recording Secretary

Cyril Crocker
Correspondence Secretary

Isaac Williams, Jr.
Treasurer

John Mitchell, Sr.
Parliamentarian

COMMISSIONERS

- 5A01 Etta M. Marshall
- 5A02 Norma M. Broadnax
- 5A03 Joseph L. Bowser
- 5A04 Grace Lewis
- 5A05 Darek D. Parks
- 5A06 Mary Baird-Currie
- 5A07 John Mitchell, Sr.
- 5A08 Cyril Crocker
- 5A09 Isaac Williams, Jr.
- 5A10 Ruth Goodwin
- 5A11 Vacant
- 5A12 Robert (Bob) King

OFFICE MANAGER
Angela D. Ellis

FINAL DRAFT

VOLUNTARY AGREEMENT (including two amendments) between ***Delta Elite, Inc. and Advisory Neighborhood Commission 5A***

Re: Reissuance Application No. 10229, Enrique Lyon
Delta Elite, Inc. t/a Delta Elite located at 3734 10th Street, N.E.
January 1997

Seeking to renew a class CN liquor license for the Delta Elite, Inc. located at 3734 10th Street, N.E., Washington, D.C., and having met with residents of single member district 5A-06, Enrique Lyon, president and representative of the Applicant, Delta Elite, Inc., agrees to the preamble and conditions set forth below:

PREAMBLE

The Applicant (Delta Elite, Inc.), Residents (include Protestants within SMD 5A-06), and Advisory Neighborhood Commission 5A enter into this voluntary agreement. Through this agreement the parties aim to create an environment whereby the applicant may continue to operate as a viable business establishment while concurrently lessening the adverse effects of this business on the surrounding neighborhood. All parties believe the provisions contained in the conditions section below are reasonable AMD must become wholly integrated into the day-to-day operation of the club.

In addition, the Applicant agrees over the long-term to work with neighborhood residents to ensure Delta Elite operations do not adversely affect the surrounding neighborhood. Through working together, Applicant, Residents, and ANC 5A envision that Delta Elite will operate in a lawful manner, generate tax revenues, provide gainful employment opportunities within the District of Columbia, and contribute to the neighborhood as a corporate citizen.

CONDITIONS

The conditions section is divided into five areas: Parking, Noise, Illegal Activity, Trash, and Ongoing Monitoring.

Parking

The Applicant agrees to guarantee availability of at least thirty (30) parking places in the shopping center area directly in front of the Club. In addition, the applicant will endeavor to identify and secure additional off-street parking from commercial sources located just south of the Club. For example, the Applicant shall contact such sources as D.C. Cablevision, WMATA (Metro), and other neighborhood businesses to determine whether their lots may be leased or used by Club patrons¹.

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3. The Applicant agrees to make the following announcement prior to closing:

We ask you to be courteous when leaving tonight. Most nearby residents are asleep, so please remember not to cause disturbances in the neighborhood. Drive safely.

4. The Applicant agrees to provide signs in highly visible locations about the following:

- a. Proper ID required (proof of age 21 minimum to be served alcoholic beverages and assurance that patrons will be carded on entry).
- b. Prohibition against selling alcohol to minors and selling drugs.
- c. Request to patrons to not loiter, litter, or make excessive noise in the neighborhood as they depart.

¹In this agreement, the word "patron" includes individuals inside the Club as well as individuals going to and from the Club.

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- d. Directions to off-street, commercial parking places located south of the Club.
- e. Notice that persons exiting after 4:00 a.m. will not be readmitted to the Club.

Trash

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2. The Applicant agrees to ensure that its trash is picked up on Mondays, or the first business day after any night of operation.

Ongoing Monitoring

1. Following the signing of the agreement among the Applicant, Residents, and ANC 5A, the Applicant agrees to attend a meeting of ANC 5A on the date and time this agreement is distributed.
2. In the event the provisions of this agreement are violated or new problems develop, the Applicant agrees to meet with affected residents and pledges to work toward reasonable and effective solutions.

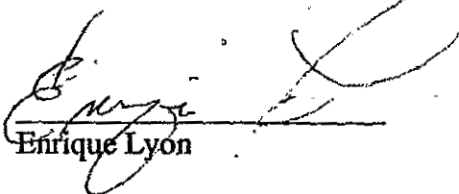
Voluntary Agreement of 1/27/95 with Delta Elite, Inc. (approved April 26, 1995) is renewed with following changes. --January 22, 1997

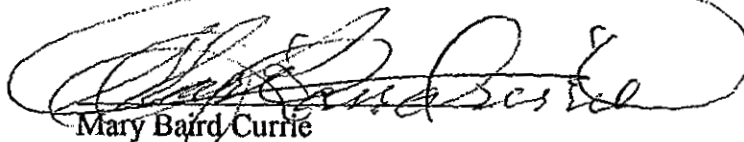
Parking Amendments - January 1997

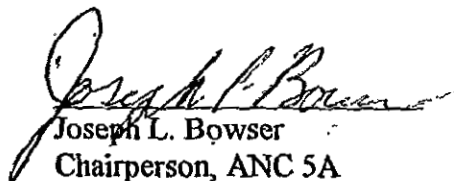
Applicant agrees to fully support community efforts to identify street parking in such non-residential areas south of the Club as: Michigan Ave., NE, (800-900 units at ground level--labeled as "Bailey Dr., NE," on D.C. street maps); 8th and 9th Sts., NE, under Drew Bridge; Bunker Hill Rd., NE, west of 10th St., NE. In addition, Applicant shall inquire into possible use of parking at Brooks Mansion and Metrol

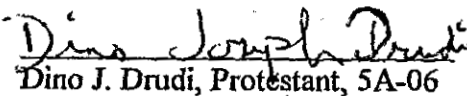
In conjunction, actions may need to be taken to lift parking restrictions for the hours of 12:00 midnight to 6:00 a.m. on weekends. Applicant shall encourage patrons to park in these areas. This shall include handing out leaflets and maps to patrons identifying area north of Club as residential quiet zones and encouraging them to instead park in indicated areas to south.

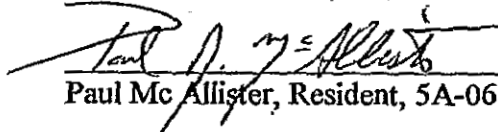
PROTESTANT WITHDRAWS HIS PROTEST. E. LYON / DOD 8 MAR 97



Enrique Lyon

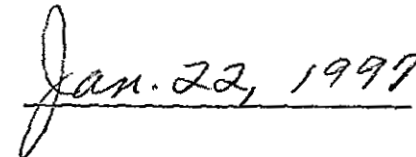

Mary Baird Currie


Joseph L. Bowser
Chairperson, ANC 5A


Dino J. Drudi, Protestant, 5A-06


Paul Mc Allister, Resident, 5A-06

Attest: 

Date: 

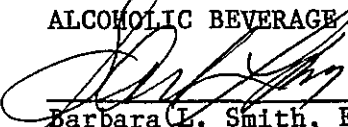
1/ See Agreement dated January 22, 1997.

Delta Elite, Inc.
t/a same
Page two

Accordingly, it is this 19th day of March 1997, ORDERED
that:

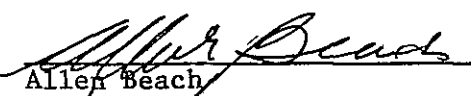
1. The opposition of Dino Drudi be, and the same hereby, is
WITHDRAWN;
2. The above-referenced Agreement between the parties be, and the
same hereby, is INCORPORATED as part of this Order;
3. The application of Delta Elite, Inc. t/a same for a retailer's
license Class CN - renewal at premises 3734 10th Street, N.W. be, and the
same hereby, is GRANTED; and,
4. Copies of this Order shall be sent to the Protestant, and the
Applicant.

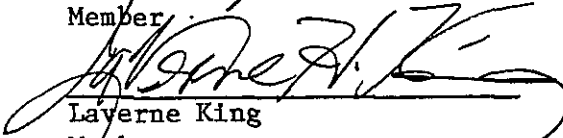
DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD

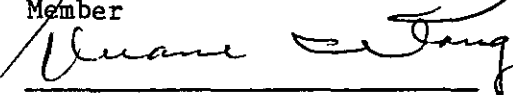

Barbara L. Smith, Esquire
Chairperson


Mary Eva Candon, Esquire
Member

Dennis Bass
Member


Allen Beach
Member


Laverne King
Member


Duane Wang
Member


Eydie Whittington
Member

**BEFORE
THE DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL BOARD**

In the Matter of:

Delta Elite, Inc.
T/a Delta Elite

Application for a Retailer's
Class CN - renewal
at premises

3734 10th Street, NE
Washington, DC 20017

Case No. 10229-01/014P

Dino Joseph Drudi, Protestant

Enrique Lyon, Applicant

**BEFORE: RODERIC L. WOODSON, ESQUIRE, CHAIR
 VERA ABBOTT, MEMBER
 CHARLES BURGER, MEMBER
 LAURIE COLLINS, MEMBER
 JUDY MOY, MEMBER
 ELLEN OPPER-WEINER, ESQUIRE, MEMBER
 AUDREY THOMPSON, MEMBER**

ORDER ON WITHDRAWN PROTEST AND VOLUNTARY AGREEMENT

This matter, having been protested, was scheduled for a roll call hearing on Wednesday, February 28, 2001, in accordance with D.C. Code Section 25-115(c)(5) (1999 Supp.), providing for the protestants to be heard. The Board received a timely protest letter from Dino Joseph Drudi, dated February 13, 2001.

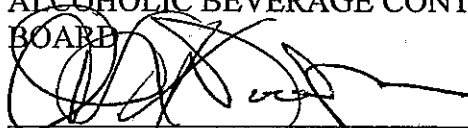
The official records of the Board reflect that the parties have reached an agreement that has been reduced to writing, and has been properly executed and filed with the Board. Pursuant to the agreement, dated January 22, 1997, the protestant has agreed to withdraw the opposition, provided, however, the Board's approval of the pending application is conditioned upon the licensee's continuing compliance with the terms of the agreement.

Delta Elite, Inc.
T/s Delta Elite
Page 2

Accordingly, it is this 28th day of March 2001, **ORDERED** that:

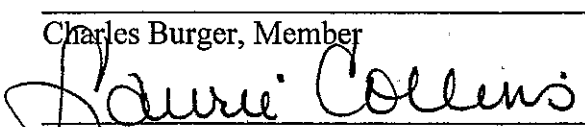
1. The opposition of Dino Joseph Drudi, be, and the same hereby is **WITHDRAWN**;
2. The application of Delta Elite, Inc., t/a Delta Elite, for a retailer's class CN license (renewal) at premises 3734 10th Street, NE, Washington, DC 20017, be, and the same hereby, is **GRANTED**; and
3. The above-referenced agreement between the parties, be, and the same hereby is **INCORPORATED** and part of this **ORDER**; and;
4. Copies of this Order shall be sent to the Protestant and the Applicant.

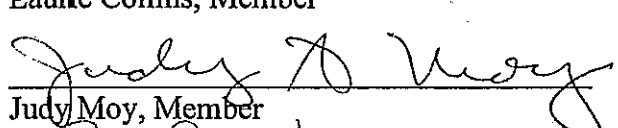
DISTRICT OF COLUMBIA
ALCOHOLIC BEVERAGE CONTROL
BOARD

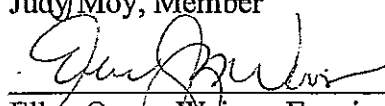

Roderic L. Woodson, Esquire, Chair

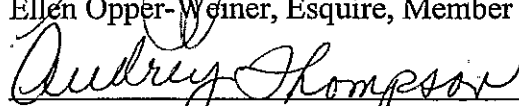

Vera Abbott, Member

Charles Burger, Member


Laurie Collins, Member


Judy Moy, Member


Ellen Oppenheimer, Esquire, Member


Audrey Thompson, Member